

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):

MICHAEL H. CROSBY  
 MICHAEL H. CROSBY - SBN # 125778  
 2366 FRONT STREET  
 SAN DIEGO, CA 92101

FOR COURT USE ONLY

FILED

08 JAN 24 PM 2:23

TELEPHONE NO. (619) 696-7330

FAX NO. (Optional) (619) 239-5872

EMAIL ADDRESS (Optional):

ATTORNEY FOR/Name: JACOB CALANNO

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

COURT NAME: UNITED STATES DISTRICT COURT

STREET ADDRESS: 940 FRONT ST RM 1160

MAILING ADDRESS: 940 FRONT ST RM 1160

CITY AND ZIP CODE: SAN DIEGO, CA 92101-8900

BRANCH NAME:

R.V.

911/14

DEPUTY

PLAINTIFF/PETITIONER: JACOB CALANNO

CASE NUMBER:

07CV2052BTMPOR

DEFENDANT/RESPONDENT: TERRA VAC CORPORATION, ET AL

Ref No. or File No.

OS349677-02

**PROOF OF SERVICE SUMMONS**

(Separate proof of service is required for each party served)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of

- a.  summons
- b.  complaint
- c.  Alternative Dispute Resolution (ADR) package
- d.  Civil Case Cover Sheet (served in complex cases only)
- e.  cross-complaint
- f.  other (specify documents):

3. a. Party served (specify name of party as shown on documents served):  
TERRA-VAC, INC., A CORPORATION, DBA TERRA-VAC P.R.

- b.  Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):  
JAMES J. MALOT, AGENT FOR SERVICE

Age: 55; Sex: M; Hair: BRN; Eyes: BRN; Height: 5'10; Weight: 160; Race: CAUC; Marks:

4. Address where the party was served: 316 AVOCET AVENUE  
DAVIS, CA 95616

5. I served the party (check proper box)

- a.  by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): December 10, 2007 (2) at (time): 07:10 am
- b.  by substituted service: On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):

- (1)  (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (2)  (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3)  (physical address is unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- (4)  I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or  a declaration of mailing is attached.
- (5)  I attach a declaration of diligence stating actions taken first to attempt personal service.

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PLAINTIFF/PETITIONER: JACOB CALANNO

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- c.  by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.
- (1) on (date): (2) from (city):  
 with two copies of the *Notice and Acknowledgment of Receipt* (form 982(a)(4)) and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgement of Receipt (form 982(a)(4).)* (Code Civ. Proc., § 415.30.)
- (4)  to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d.  by other means (specify means of service and authorizing code section):

Additional page describing service is attached.

## 6. The Notice to the Person Served (on the summons) was completed as follows:

- a.  as an individual defendant.  
 b.  as the person sued under the fictitious name of (specify):  
 c.  as occupant.  
 d.  On behalf of (specify):

under the following Code of Civil Procedure section:

- |   |   |
|---|---|
| <input type="checkbox"/> 416.10 (corporation)                     | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                               |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                 |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                   |
| <input type="checkbox"/> 416.50 (public entity)                   | <input type="checkbox"/> 415.46 (occupant)                            |
|   | <input type="checkbox"/> other:                                       |

## 7. Person who served papers

- a. Name: EUGENE D. HOWARD  
 b. Address: 1424 21st Street, Sacramento, CA 95814  
 c. Telephone number: (916) 441-4396  
 d. The fee for service was: \$ 32.25  
 e. I am:

- (1)  not a registered California process server.  
 (2)  exempt from registration under Business and Professions Code section 22350(b).  
 (3)  registered California process server:  
 (i)  Owner  employee  independent contractor.  
 (ii) Registration No.: 2006-19  
 (iii) County: YOLO

8.  I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

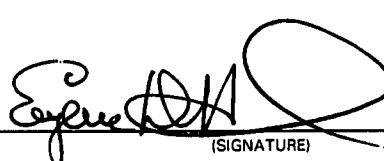
OR

9.  I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: January 15, 2008

EUGENE D. HOWARD

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHALL)



(SIGNATURE)